

Riley County

Guide to Conditional Uses

- E. How will off-street parking, loading, and screening areas be provided in accordance with standards set forth in the Riley County Zoning Regulations?
- F. How will adequate utility, drainage and other such necessary facilities be provided?
- G. Will adequate access to public roads or streets be provided? Will appropriate entrance and exit drives be provided and be so designed to prevent traffic hazards and to minimize traffic congestion?

At the Public Hearing

1. At the Board of Zoning Appeals meeting, the Chairman opens the public hearing. A staff member of the Planning and Development Department presents the staff report to the Board. The petitioner is then called forward to explain the request. The public is then given a chance to speak for or against the request. After everyone has had an opportunity to speak, the public hearing is closed and the Board usually takes a vote.
2. The Board will either approve the request, with or without conditions, or deny the request, or table the decision to a later date.
3. If the request is approved, the Board will sign a Conditional Use Authorization. A copy will be mailed to the petitioner.

There is a 30 day protest period after the date of the Board of Zoning Appeals meeting in which any person dissatisfied with the Board's determination may file a protest in the District Court of Riley County.



For More Information Contact:

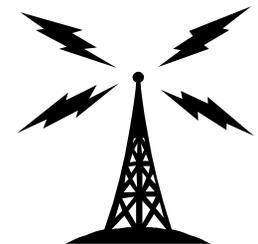
Planning & Development

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Conditional uses may only be requested and granted for those uses specifically outlined in the Zoning Regulations of Riley County, Kansas.

Some common conditional uses in the residential zones are hospitals, electric power substations, fire stations, police stations, public service buildings, non-profit clubs for golf, tennis, swimming etc., and bed and breakfast inns. Conditional uses allowed in the agricultural zones are cemeteries, commercial storage and distribution of anhydrous ammonia and propane, airports, commercial radio and television transmitting towers, dog kennels, feedlots, private landfills, veterinary clinics, temporary asphalt or concrete plants, farm machinery repair, greenhouses and nurseries.

APPROXIMATE COSTS INVOLVED IN A CONDITIONAL USE REQUEST

- Surveying fees to obtain a legal description (varies)
- Planning and Development application (\$400.00)

STEPS INVOLVED IN A CONDITIONAL USE REQUEST

Filing a Petition for Public Hearing

1. Contact the Riley County Planning & Development Department.
2. Contact a firm to have the property surveyed and a legal description written (if applicable).
3. The following should be submitted to the Planning and Development Department:
 - Petition for Public Hearing application;
 - the application fee;
 - a legal description of the proposed area; and
 - a sketch drawn to scale (site plan).

The site plan shall include the following:

- The location of conditional use boundary lines and their relation to established property lines;
 - The location of all existing and proposed structures, trails and parking areas, outdoor storage areas, etc., with approximate dimensions, labeled according to their use;
 - The name and address of the Applicant;
 - The True north point, scale, and date;
 - Name of adjacent roads, streets or highways;
 - The location and size of any existing or proposed signs;
 - A description of the type and use of structures, if any, on the property; and
 - Descriptions of any new construction, remodeling, removal, relocation etc.
4. Kansas Statutes require that a Notice of Public Hearing be published in the Manhattan Mercury at least 20 days prior to the date of the hearing. This notifies the general public of the request. All persons owning property within a 1,000' radius will be notified of the request 20 days prior to the public hearing. They may attend the public hearing and/or submit written comments about the request.

Preparing for the Public Hearing

1. Unless otherwise stated, the Board of Zoning Appeals meets on the second Monday of each month at 7:30 p.m. in the Commission Meeting Room, Courthouse Plaza East.



Approximately 1 week before the hearing, the petitioner will be notified of the date, time and place of the Board of Zoning Appeals meeting. The notice is accompanied by the staff evaluation of the request. The petitioner or the petitioner's representative **must** be present at the public hearing. The Township Trustee for the township involved in the request is also notified of the hearing.

2. The petitioner should bring any additional information to the hearing considered pertinent.

The petitioner should consider the following:

- A. Does the proposed conditional use comply with all applicable provisions of the Riley County Zoning Regulations?
- B. Will the proposed conditional use at the location specified contribute to and promote the welfare or convenience of the public?
- C. Will the proposed conditional use have a negative impact on the value of surrounding property?
- D. How well will the proposed conditional use integrate in the immediate neighborhood in regard to the following:
 - the location and size of the conditional use;
 - nature and height of building and other structures;
 - walls and fences on the site;
 - the intensity of the operation associated with the conditional use;
 - nature and extent of any proposed landscaping and/or screening on the site; and any streets, roads or highways that will serve the proposed site.